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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

YUAN, DAH WEI D

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Commissioner for Patents

The supplemental reply brief filed February 1, 2007 has been entered and considered. Appellants argue that the recitation "fuel supply means" comprises a thermal drop ejector (128), a manifold (146) and a fan (148). See page 3. In fact, the "fuel supply means" is not explicitly defined in the instant specification as to the scope of the means-plus-function element. The scope of the recitation is understood and interpreted to limit to the fuel supply apparatus (118a), which produces a spray of droplets with a thermal drop ejector (128). Support for the claim interpretation stems from page 6, lines 5-7 of the specification. (Supplemental Examiner's Answer, page 6). Conventionally, Office personnel are to give their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claims. See in re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320 (Fed. Cir. 1989). Therefore, examiner respectfully submits that the Board's instruction set forth in the Remand to interpret the "means" claim language in claims 8 and 20 has been met and fully addressed.

To further address Appellant's arguments that fuel supply means further comprises a manifold and a fan (which examiner does not agree). Kindler et al. teach a direct methanol fuel cell system, wherein the liquid fuel is supplied via a duct (29) (i.e., manifold) to a pump (20), which is provided for circulating the liquid fuel to an aerosol generator (21) (i.e., fuel supply apparatus). See Figure 1, Column 5, Lines 37-50. The pump is a device that transfers or compresses fluid by suction or pressure or both. The pump is considered to function as a fan, which is used to move or impel the liquid fuel as shown in figure 4 of the instant specification. Therefore, claims 8 and 20 remain to be anticipated by Kindler reference even if the scope of the recitation "fuel supply means" is understood in accordance with the interpretation of the Appellants.

The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

DAI-WEIYUAN
PRIMARY EXAMINER